

UNCLAS SECTION 01 OF 02 GENEVA 001287

SIPDIS

SENSITIVE

E.O. 12958: N/A

TAGS: [PREF](#) [SMIG](#) [UNHCR](#)

SUBJECT: UNHCR FORUM: ONE BRIDGE, ONE DEAD END

**¶1.** (U) Summary: The U.N. High Commissioner for Refugees' Forum (UNHCR/Forum) met May 20, with Deputy High Commissioner Kamel Morjane and Director of International Protection Erika Feller on the podium for an all-day session attended by approximately one hundred representatives from Geneva missions, capitals, and NGOs. While the Forum has generated a concrete approach to bridging the relief to development gap, its efforts to navigate the asylum-migration nexus appear to have reached an impasse. The USG has long advocated mainstreaming the Forum's work and concluding the Convention Plus Process in 2005. In order to do so, however, it may be necessary to persuade UNHCR to redirect or abort the discussions on Irregular Secondary Movements. End summary.

**¶2.** (U) Morjane made extensive and detailed opening remarks on the objectives of the forum (strengthening protection and finding durable solutions for refugees) and the need to look at related issues (migration, development, security). Denmark and Japan said that their work on Targeted Development Assistance (TDA) was ready to be "mainstreamed, but not dropped" and cited their field-based implementation of the concept (Japan is working with Ethiopia while Denmark is working with Uganda). The World Bank Representative in Geneva provided background on the country-specific Poverty Reduction Strategy Process, which the World Bank and International Monetary Fund approved five years ago. It is now being used in 45 developing states and being adopted in 12 more. Representatives of eight developing states spoke favorably about TDA, but Pakistan stated that while it is "logical" in repatriations, it is not an acceptable concept for development programs or refugees in countries of asylum.

**¶3.** (U) Targeted Development Assistance provides concrete guidance on how to bridge the relief to development gap. It has studied Poverty Reduction Strategy Papers (PRSPs) which are prepared by developing-state governments in consultation with international and bilateral donors. While some states include their returning populations in PRSPs, host states rarely include refugees in PRSPs, and many in fact refer to refugees as a drain, rather than a contributor, to regional development. Since PRSPs are prepared at the national level, refugee advocates, including UNHCR representatives, NGOs and bilateral missions need to work at the local level to include targeted development assistance for refugee-impacted areas in the PRSPs. Host states and donors may become more interested in the TDA approach as it is endorsed not only by UNHCR but also by the World Bank, IMF and UNDP.

**¶4.** (SBU) Nonetheless, several developing states, including Pakistan and some African representatives, regard TDA with suspicion, and express the belief that it is a stalking horse for burden-shifting, i.e., is a mechanism for unwanted local integration which would, in the process, reduce humanitarian funds while siphoning off money which would otherwise be available for the host population. These states are not persuaded that TDA will bring addditionality, and have asked for further discussions on the "Best Practices" document. Denmark and Japan, as facilitating states, see the Geneva-based process as concluded, and, like UNHCR, are more interested in applying the practice in the field than in leading a recurrent debate. UNHCR realizes, however, that the unpersuaded states still need an outlet for their questions and concerns, if only an ad-hoc discussion group.

**¶5.** (SBU) TDA, like resettlement, is presented as an option which some states may find useful in pursuing improved protection and durable solutions for refugees. However, it is not for everyone. While self-reliance programs may not be cost-effective for refugee populations hosted in isolated, harsh areas (such as north African deserts), they can be extremely effective when host government policy permits refugees to avail themselves of arable land or benefit from other favorable circumstances. Similarly, refugee contributions to development in the host community are consistently linked to host government policies: when they are allowed to work, the positive effect of refugees on local economies is strong, and easily outpaces the humanitarian inputs and infrastructure projects which are otherwise the only inputs a host population may see, and which will end when the refugees depart. Host countries that have come to understand this, such as Zambia and Uganda, are already implementing TDA programs. Those states that restrict or forbid refugee employment, such as Tanzania, see little or no

positive impact of the refugee presence.

16. (U) Erika Feller led UNHCR presentations and plenary discussion on Irregular Secondary Movements (ISM) and gave an update on the Strategic Use of Resettlement. She reported that the Resettlement framework completed last year calls for building new programs in additional states, which is progressing in Latin America. In addition, referral of groups for resettlement is underway, although thus far none has been identified for a "Comprehensive Plan of Action."

17. (SBU) Irregular Secondary Movement, however, continued to generate heated debate. NGO representatives and Mexico renewed demands that the Forum discuss ISM only in terms of protection and remove paragraphs on returns or re-admissions, which they regard as migration management and law enforcement issues beyond UNHCR's mandate. In addition, the NGO statement insisted that UNHCR must present an explicit definition of its core concept, protection, as a first step in preparing a framework of understanding on ISM.

18. (SBU) UNHCR has long argued that the role of the Forum, and of the ISM strand, is to help find durable solutions for specific groups of refugees; it does not have a mandate to define protection - a task which UNHCR and many states clearly believe would be nearly impossible to complete in today's climate. Rather than invest the time and resources in debate, Feller advocated development of a balanced document which identifies the reasons for irregular secondary movements as largely protection-based, and proposes a framework of understanding for addressing those reasons. The balance, she argues, would require an acknowledgment that when protection is not the reason for irregular secondary movements, states would rightfully pursue return and re-admission processes. The advocacy groups argue, however, that protection must be defined and its standards met before any process for return or re-admission can be contemplated.

19. (SBU) The debate has led ISM into a process of lengthy drafting sessions dominated by a few spokespersons. According to one participant, a two-day drafting session in May resulted in a document (initially drafted by South Africa and Switzerland) "entirely in brackets." Three more drafting sessions (each two days) have already been scheduled as the facilitators press to meet their fall 2005 deadline for completion of the Framework. UNHCR, South Africa, and Switzerland have a vested interest in developing solutions for irregular secondary movements. Nonetheless, although they are not in a position to simply walk away from the process, their chances for successfully accommodating all positions at this point appear minimal. As language becomes more specific, other participants are increasingly pressed into a corner where they may be forced to take sides; many states are loathe to continue a process which is likely to polarize and alienate the participants and, ultimately, fail.

110. (SBU) Comment: Morjane and Feller, along with Acting High Commissioner Chamberlin, have renewed their personal commitments to the Forum/Convention Plus process on several occasions since the resignation of its architect, former High Commissioner Ruud Lubbers. Morjane stated, however, that a number of options for the future are being prepared for decision by the new High Commissioner. Declaring a successful conclusion to the Resettlement and TDA strands could be justified; however, devising an exit strategy from the ISM process would appear the more important task at hand.

End comment.

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